87-1-209

MT LEGISLATIVE HISTORY

Chapter 270 19 73

Bill H 417 S _____ Original bill & hist. ___C

H. Committee on F & G S. Committee on F & G

Hearing Date(s)	___C	Hearing Date(s)	___C
	___C		___C
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Date Out	___C		___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

Bill No.	Subject Matter	Date In	Hearing Date	Comments	Date Out	Committee Action	Final Action
HB 286	Delete requirements to locations for drawings for special elk permits	1-20	1-31		2-5	DO PASS	
HB 417	Establish checking stations	1-25	2-7		2-7	DO PASS	Signed by Governor
HB 452	License fee for issuance of special licenses in absence of other fees	1-26	2-7		2-7	DO NOT PASS	Killed in Committee
HB 474	Extension of policy re preserving rivers; reporting adverse affects to US agencies	1-27		Speaker asked that bill be returned to him 1-29	1-29	REFERRED TO NATURAL RESOURCES	Held Over
HJR 31	Fish & Game to review water resource projects	1-27	2-7		2-7	DO PASS	
HB 205	SEE PAGE 3	1-29		Referred back to committee	2-7	DO PASS AS AMENDED	

FISH AND GAME COMMITTEE

February 7, 1973

The meeting was called to order at 10:30 a.m., with all members present except Representative Baucus, who was excused.

Senate Joint Resolution 13 was considered first. Senator Lowe, chief sponsor, explained the resolution. The need for some kind of study to see how many landowners are already charging for hunting on their land, and how much money could be raised to protect the land is growing all the time. Mr. Wes Woodgerd, Director of the Fish and Game Department, testified as a proponent of the bill. Senator Lowe then said that this program isn't compulsory and doesn't apply to any land but private land. Mr. H. R. Miller, representing the Montana Wildlife Federation and Mr. Phil Tawney, same, testified as proponents. There were no opponents.

House Bill 417 was discussed next. Representative Lucas, chief sponsor, explained that this bill would establish mandatory checking stations and would be good for two reasons; better harvest information and good preventative law enforcement. Mr. Orville Lewis, Mr. Phil Tawney, Mr. Harold Miller, Mr. Jack Schilla, Mr. Bill Cheney (Department of Livestock) and Representative Johnston also testified in favor of the bill. There were no opponents.

House Joint Resolution 31 was discussed next. Representative Bardanouve, chief sponsor, explained that the resolution came about as a result of a study of water resources done by the Legislative Council 2 years ago. Some of the projects were to be disposed of, and he felt that other state departments should have first chance at them if they would be useful. Mr. Woodgerd testified as a proponent of the resolution. There were no opponents.

House Bill 452 was discussed next. Representative Johnston, chief sponsor, distributed a financial estimate, which is attached. He also asked that the committee amend page 1, line 23, by changing the amount from $5 to $3. Mr. Orville Lewis testified as a proponent of the bill.

Representative Johnston moved that House Joint Resolution 13 DO NOT PASS. The motion was seconded and passed unanimously (Representative Baucus excused).

Representative Huennekens submitted the attached amendment to House Joint Resolution 15, and moved that the resolution DO PASS AS AMENDED. The motion was seconded and passed with Representatives Hager, Galt, Seifert, Clemow, and Staigmiller voting NO (Representative Baucus excused).

Representative Menahan distributed the attached amendments to House Bill 205 and explained them. Representative Johnston moved adoption of the amendments. The motion was seconded and passed unanimously (Representative Baucus excused). He then moved that House Bill 205 DO PASS AS AMENDED. The motion passed with Representatives Staigmiller, Clemow, Galt and Prevost voting NO (Representative Baucus excused).

Representative Menahan moved that House Bill 417 DO PASS. The motion was seconded and passed unanimously.

Representative Menahan then moved that House Bill 452 DO NOT PASS. After some discussion, he withdrew his motion and Representative Johnston moved to amend page 1, line 23, by striking the $5 and inserting $3. The motion was seconded and passed unanimously (Representative Baucus excused). Representative Johnston then moved that House bill 452 DO PASS AS AMENDED. The motion was seconded and failed with Representatives Staigmiller, Barrett, Brand, Menahan, Stephens, Huennekens and Prevost voting NO. (Representative Baucus excused.)

Representative Brand then moved that House Bill 452 DO NOT PASS. The motion was seconded and passed with Representatives Staigmiller, Barrett, Brand, Menahan, Stephens, Huennekens and Prevost voting YES (Representative Baucus excused).

Representative Menahan moved that House Joint Resolution 31 DO PASS. The motion was seconded and passed unanimously (Representative Baucus excused).

Representative Hager moved that Senate Joint Resolution 13 BE CONCURRED IN. The motion was seconded and passed with Representatives Brand and Menahan voting NO (Rep. Baucus excused).

Representative Johnston moved that House Bill 242 DO NOT PASS. The motion was seconded and passed unanimously (Representative Baucus excused).

There being no further business, the meeting adjourned at 12 Noon.

JOHN B. STAIGMILLER, Chairman

COMMITTEE ON FISH AND GAME

BILL NO.	ENTERED COMM.	OUT OF COMM.	DO PASS	DO NOT PASS	DO PASS AS AMENDED	BE CONCURRED IN	BE CONCURRED IN AS AMENDED	BE NOT CONCURRED IN	BE ADOPTED
SB 178	2-3-73	2-10-73			X				
SR 9	2-7-73	2-22-73							X
MJR 16	2-7-73	2-27-73					X		
HB 245	2-12-73	2-24-73				X			
HB 286	2-12-73	3-6-73				X			
HJR 15	2-16-73	3-8-73					X		
~~HB 205~~	~~2-16-73~~	3-6-73					X		
HB 417	2-16-73	2-27-73				X			
HJR 31	2-16-73	3-6-73				X			
HB 126	2-6-73	2-24-73					X		
SR 19	2-27-73	3-6-73							X
SR 32	3-10-73	3-23-73							X

February 27, 1973

MINUTES OF FISH AND GAME COMMITTEE

The meeting of the Fish and Game Committee was called to order by Chairman Keenan on Tuesday, February 27 at 11:30 A.M. in Room 402. The secretary called the roll, with Senators Sorenson and McNamer absent.

House Bill 417 - Sponsors Lucas and Johnston said the bill would establish checking stations and require hunters and fishermen to stop at such stations and report game in their possession. The bill would further the relations with the rancher and sportsman.

Proponents of the bill were:
Senator Frank Hazelbaker, Dillon
Mr. Harold Miller, Sarpy Creek
Mr. Dave Smith, Executive Secretary of the Montana Woolgrowers Asssoc.
Mr. Mons Teigen, Montana Stockgrowers Association
Mr. Bill Cheney, Department of Livestock
Mr. Don Aldrich, Montana Wildlife Federation
Mr. Bob Byrd, Fish and Game Department
Mr. Gary Collier, Kalispell

Senator Jensen made a proposed amendment to line 25 of page 1 of the bill. There was discussion on this amendment but no second to Senator Jensen's motion.

The committee discussed the bill.

Senator Carl moved and Senator McOmber seconded that we concur in the bill. After a roll call vote, a "BE CONCURRED IN" was put on the bill.

House Joint Resolution 16 - Rep. Baeth, sponsor, said the Resolution would get the Corps of Engineers to study Lake Koocanusa.

There were no opponents to the Resolution.

The committee discussed the Resolution. Senator Carl moved and Senator McCallum seconded that we add an additional "BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this Resolution to the Corps of Engineer regional office and the Bonneville Power Administration".

Senator Jensen moved and Senator Breeden seconded that we concur in this Resolution as amended. After a roll call vote, an "AND AS SO AMENDED BE CONCURRED IN" was put on this Resolution.

House Bill 205 - Representative Johnston said the bill would protect endangered species of animals within the state.

Mr. Orville Lewis of the Fish and Game testified in support of the bill.

There was no opposition to the bill.

Discussion followed by the committee.

the condition of the treasury, or upon any subject relating to the duties of his office.

7. To discharge such other duties as may be imposed upon him by law.

8. Securities may be placed in safe keeping with banks subject to national supervision or Montana state examination and a safe keeping receipt may be accepted in lieu of the actual securities. Custody and control of repurchase agreements and mortgages shall be accomplished by the receipt of a confirmation of purchase."

Section 2. This act is effective on its passage and approval.

Approved: March 10, 1973.

CHAPTER NO. 270

An Act Authorizing the Department of Fish and Game to Establish Checking Stations and Requiring Hunters and Fishermen to Stop at Such Stations and Report Game in Their Possession.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. The department of fish and game is authorized to establish checking stations where deemed necessary to inspect licenses of hunters and fishermen and to inspect any game animals, fish or fur-bearing animals in the possession of hunters and fishermen.

Section 2. Every person, upon the request of the director, or his authorized representative, or of any game warden, shall produce for inspection any current fish and game license which has been issued to such person and shall produce for inspection any game animals, birds, fish or fur-bearing animals in his possession. Hunters or fishermen entering or leaving areas for which checking stations have been established must stop and report if a checking station is on the hunter's or fishermen's route of travel, to or from the hunting or fishing area. Failure to stop and report at a checking station, when personnel are on duty, shall constitute a misdemeanor.

Approved: March 10, 1973.

CHAPTER NO. 271

An Act to Amend Section 31-129, R.C.M. 1947, Permitting a Traffic Education Student to Obtain an Instruction Permit; and Providing Limitations.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 31-129, R.C.M. 1947, is amended to read as follows:

"31-129. **Instruction permits and temporary licenses.** (a) Any person satisfying the age requirements specified in 31-127 (1), may apply to the board for an instruction permit. The board may in its discretion, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant an instruction permit which shall entitle the applicant, while having such permit in his immediate possession, to drive a motor vehicle upon the public highways for a period of six (6) months when accompanied by a licensed operator or chauffeur who is occupying a seat beside the driver. *In addition, the board may issue such an instruction permit to any person who is at least fourteen and one-half (14½) years of age and who is successfully participating in a traffic education course approved by the Montana highway patrol and the superintendent of public instruction. Any instruction permit so issued shall be restricted to the operation of a motor vehicle only when accompanied by an approved instructor or licensed parent or guardian and may be further restricted to specific times and/or areas.*

(b) The board upon receiving proper application may in its discretion issue a *traffic education* permit effective for a school year or more restricted period to on applicant who is enrolled in a *traffic education* program approved by the board even though the applicant has not reached the legal age to be eligible for an operator's license. Such permit shall entitle the permitee when he has such a permit in his immediate possession to operate a motor vehicle only on a designated highway or within a designated area but only when an approved instructor is occupying a seat beside the permitee.

(c) The board may in its discretion issue a temporary driver's permit to an applicant for an operator's license permitting him to operate a motor vehicle while the board is completing its investigation and determination of all facts relative to such applicant's right to receive an operator's license. Such permit must be in his immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused."

Approved: March 10, 1973.

CHAPTER NO. 272

An Act to Amend Section 4-510, R.C.M. 1947, to Increase the Fees for Issuance of an Alcoholic Beverage Identification Card from